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14 Proposed Classes

15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

17 STACIA STINER; HELEN CARLSON, by
18 and through her Guardian Ad Litem, JOAN
CARLSON; LAWRENCE QUINLAN, by and
19 through his Guardian Ad Litem, LORESIA
VALLETTE; EDWARD BORIS, by and
20 through his Guardian Ad Litem, MICHELE
LYTLE; RALPH SCHMIDT, by and through
21 his Guardian Ad Litem, HEATHER FISHER;
PATRICIA LINDSTROM, as successor-in-
22 interest to the Estate of ARTHUR
LINDSTROM; and BERNIE JESTRABEK-
23 HART; on their own behalves and on behalf
of others similarly situated,

24 Plaintiffs,

25 v.

26 BROOKDALE SENIOR LIVING, INC.;
27 BROOKDALE SENIOR LIVING
COMMUNITIES, INC.; and DOES 1 through
28 100,

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Case No. 4:17-cv-03962-HSG

**STIPULATION AND ORDER
REGARDING BRIEFING
SCHEDULE ON DEFENDANTS'
MOTIONS**

Judge: Hon. Haywood S. Gilliam, Jr.
Date: August 9, 2018
Time: 2:00 p.m.
Crtrm.: 2

Action Filed: July 13, 2017
Trial Date: None Set

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Defendants.

1 WHEREAS, Plaintiffs filed their Second Amended Complaint in this Court on
2 March 29, 2018 (ECF No. 52);

3 WHEREAS, on April 19, 2018, Defendants filed the following motions in response
4 to Plaintiffs' Second Amended Complaint: Motion to Dismiss and/or Strike Portions of
5 Plaintiffs' Second Amended Complaint, Motion to Strike Portions of Second Amended
6 Complaint, and Renewed Motion to Compel Arbitration (collectively "Defendants'
7 Motions") (ECF Nos. 59-61);

8 WHEREAS, the date set for hearing Defendants' Motions is August 9, 2018;

9 WHEREAS, the parties originally stipulated that Plaintiffs should have until May
10 10, 2018 to file and serve their oppositions and that Defendants should have until May 24,
11 2018, to file and serve their replies (ECF No. 54);

12 WHEREAS, Plaintiffs seek an additional week within which to prepare their
13 oppositions to Defendants' Motions;

14 WHEREAS, Defendants do not oppose this requested extension so long as
15 Defendants' time to respond to Plaintiffs' oppositions is extended;

16 WHEREAS, a stipulation between the parties to extend Plaintiffs' time to oppose
17 Defendants' Motions and to extend Defendants' time to file their replies to Plaintiffs'
18 oppositions will not alter any event or deadline already fixed by Court Order;

19 **NOW, THEREFORE, IT IS HEREBY STIPULATED**, pursuant to Local Rule
20 6-1(a), that: (1) Plaintiffs shall have through and including May 17, 2018 to file and serve
21 their Oppositions to Defendants' Motions; (2) Defendants shall have through and including
22 June 7, 2018 to file and serve their Replies in support of their motions; and (3) execution
23 of this stipulation is not a waiver of any claims or defenses Plaintiffs or Defendants may
24 otherwise have, and all such claims and defenses are expressly reserved by Plaintiffs and
25 Defendants.

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1 **IT IS SO STIPULATED.**

2 DATED: April 26, 2018

O'MELVENY & MYERS

JEFFREY A. BARKER

MATTHEW D. POWERS

ADAM P. KOHSWEENEY

MALLORY A. JENSEN

By: /s/ Jeffrey A. Barker

Jeffrey A. Barker

Attorneys for Defendants

BROOKDALE SENIOR LIVING INC.

BROOKDALE SENIOR LIVING

COMMUNITIES, INC.

11 DATED: April 26, 2018

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STEBNER AND ASSOCIATES

KATHRYN A. STEBNER

GEORGE KAWAMOTO

By: /s/ Guy B. Wallace

Guy B. Wallace

Attorneys for Plaintiffs and the Proposed Classes

23 **IT IS SO ORDERED.**

25 DATED: April 30, 2018



Honorable Haywood S. Gilliam Jr.

United States District Judge